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PATENT  
Docket No. 54317-013200**REMARKS**

Claims 1-36 are pending in the application.

Claim 1 has been amended.

In view of the arguments set forth below, reconsideration of the rejections and objections set forth in the Office Action dated January 07, 2005 is respectfully requested.

***Claim Rejections – 35 U.S.C. § 103(a)*****A. The Combination of Myers et al. and Teng**

Claims 1-3, 5-8, 10-13, 18-21, 25-30, 32, and 34-36 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Myers et al. (US. Pat. 5,909,291) in view of Teng et al. (US. Pat. 6,165,546). Out of these claims, 1, 7, 12, 18, 25-30, 32, 35-36 are independent.

Independent Claims 14 and 31 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Myers et al. in view of Teng et al. and in further view of DeLeew (US. Pat. 5,057,912).

These rejections are respectfully traversed for the reasons set forth below.

**(i) The Myers and Teng references when combined do not teach all the elements of the independent claims**

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). See also, MPEP 2143.03.

Claim 1 has been amended to include the limitation where the translator compensates the color data in response to the effect of the filter on gamut. As for currently amended Claim 1, and Claims 27, and 36, the Myers and Teng references when combined do not teach a visual display system having an improved color gamut wherein the color signal translator or the lookup table

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compensates the input color data with reference to a response of the filter, such that the filtered display output has an increased color gamut. The color translator described in the Myers reference does not take into account the displaced primary chromaticities of the Teng filter and does not compensate during translation for the effect of the filter. Therefore, the combination **does not teach the limitation of compensating for the effect of the filter.**

As for Claims 1, 7, 12, 18, 25, 26, 28, 29, 30, 32, and 35, the Myers and Teng references when combined fail to teach a translator or lookup table that emulates the color display of different media. Nowhere in the Myers reference is there mention of the translator being able to emulate color gamuts of film, color lithography, photographic prints, and others as in the present application. As such, the combination **fails to teach the limitation of emulating the color properties of a medium.**

The Myers and Teng combination suggested by the Examiner also fails to teach a lookup table as taught in Claims 12, 18, 30, and 32. Nowhere in Myers is there mention of a look up table as part of the Myers invention. In fact, Myers directly *teaches away* from using look-up tables: "Alternatively, prior art systems use very large look-up table systems which require vast storage for accurate color translation. These large table look-up systems have been too costly and inflexible for practical use, except for specialized systems. Furthermore, the large table lookup systems are limited to single source and destination combinations and cannot be easily expanded to other devices." (See Myers at Column 2, Lines 34-40). Therefore, the combination of Myers and Teng **fails to teach a look-up table as part of the system.**

The Examiner has further combined DeLeeuw with Myers and Teng to cite a single aperture filter as claimed in Claims 14 and 31. The examiner has pointed out Figures 1 and 3 of the DeLeeuw reference to presumably teach a single aperture filter. Applicants are unable to identify the single aperture filter in the cited figures. Furthermore, Applicants submit that the projection system in DeLeeuw clearly shows three cathode tubes for emitting a red, a green, and a blue image respectively. (See DeLeeuw at Column 3, Lines 32-34). The single aperture filter in the present invention is used for collectively projecting the three primary colors. As such, the

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the DeLeeuw reference in combination with Myers and Teng fail to teach a single aperture filter as taught in Claims 14 and 31 of the present application.

Thus, Applicants respectfully submit that Examiner cannot establish a *prima facie* case of obviousness because Myers and Teng references when combined do not teach all the elements of the independent claims rejected on the basis of this combination, namely Claims 1, 7, 12, 18, 25-30, 32, 35-36. Moreover, the Examiner cannot establish a *prima facie* case of obviousness to reject Claims 14 and 31 on the basis of DeLeeuw with Myers and Teng because such combination also fails to teach all the elements of Claims 14 and 31.

Furthermore, if an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending there from is nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). See also, MPEP 2143.03. Claims 2-6, 8-11, 13, 15-17, and 19-21, are dependent from Claims 1, 7, 12, 14, and 18. Thus, because independent Claims 1, 7, 12, 14, and 18 are not obvious, dependant Claims 2-6, 8-11, 13, 15-17, and 19-21 are not obvious over Myers and Teng or Myers and Teng in view of DeLeeuw.

Applicants respectfully request that the Examiner also withdraw these rejections as to Claims 1-21, 25-32, and 35-36.

**(ii) Both the Myers and Teng reference lack the suggestion or motivation to combine references**

Not only do the references cited above fail to teach the elements of the present application, but the references lack the suggestion or motivation to combine references. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. MPEP 2403.01.

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**(a) No explicit suggestion or motivation to combine references**

With respect to an explicit showing, Applicants respectfully submit that Examiner has failed to show where or how the Myers or Teng references contain a suggestion or motivation to combine the references. Applicants cannot find a suggestion or teaching in the claims or specification of Teng to modify the filter so that it would be supported by a color translator. Also, Applicants cannot find a suggestion or teaching in the claims or specification of Myers to modify the system so that a filter may be used in conjunction with the color matching system of Myers. Therefore, the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990).

**(b) No implicit suggestion or motivation to combine references**

Furthermore, the Myers and Teng references lack an implicit suggestion or motivation to combine references. The MPEP states that, "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." *In re Kozab*, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also, MPEP 2403.01.

In the present case, the nature of the problem to be solved as a whole *does not* suggest to those of ordinary skill in the art to combine the Myers and Teng references. Specifically, the problem to be solved is to increase the color gamut of display devices by restricting the spectral bandpass of the component primaries of a single screen or single aperture electronic display through the use of a single filter, and to compensate the color signal input to the display device in order to account for the modified color gamut.

One skilled in the art would not be inclined or motivated to utilize the filter disclosed in Teng because that filter is primarily configured to maximize contrast and not the gamut. (See Teng Column 4, Lines 6-54). Thus a combination of Teng and Myers would not address the problem to be solved. A combination of Teng and Myers would include a color matching system

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and a filter that increases contrast. However, this combination would not address the problem of increasing gamut and translating the colors so as to compensate for the modification in gamut.

Therefore, because the nature of the problem to be solved is not addressed by a combination of Myers and Teng, they cannot provide an implicit motivation or suggestion to combine these references. Thus, they cannot render obvious the elements of independent Claims 1, 7, 12, 18, 25-30, 32, 35-36. Claims 2-6, 8-11, 13, 15-17, and 19-21, are dependent from Claims 1, 7, 12, 14, and 18. Because independent Claims 1, 7, 12, 14, and 18 are not obvious, dependant Claims 2-6, 8-11, 13, 15-17, and 19-21 are not obvious over Myers and Teng or Myers and Teng in view of DeLeeuw.

Applicants respectfully request that the Examiner also withdraw these rejections as to Claims 1-21, 25-32, and 35-36.

B. The Combination of Teng et al. and Rahmlow

Independent Claims 22, 24, 33, and 34 have been rejected under 35 U.S.C 103(a) as being unpatentable over Teng et al. in view of Rahmlow (US. Pat. 5,523,882). Applicants respectfully traverse the Examiner rejections. The Examiner asserts that it would have been obvious to one skilled in the art to have modified the optical filter of Teng with the features of the rugate filter as taught by Rahmlow. Teng does not contemplate, suggest or indicates the desirability to modify the filters in Teng to utilize dual-stopband rugate interference filter of Rahmlow in place of a dye-based dual-stopband filter. Furthermore, as mentioned above, the Teng filters maximize contrast, but do not maximize gamut. Nowhere in the Teng reference is there mention of maximization of gamut. Therefore, independent Claims 22, 24, 33, and 34 are not rendered obvious by Teng in view of Rahmlow. Further, because Claim 23 depends from Claim 24, Claim 23 is also not rendered obvious by Teng in view of Rahmlow.

Applicants respectfully request that the Examiner also withdraw the rejections as to Claims 22, 24, 33, and 34.

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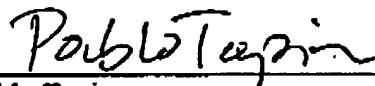
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Docket No. 54317-013200***Conclusion***

Applicants have complied with all requirements made in the above referenced communication. Accordingly, Applicants respectfully request that a timely Notice of Allowance be issued in this case. Should matters remain, which the Examiner believes could be resolved in a telephone interview, the Examiner is requested to telephone the Applicants' undersigned agent.

The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to Deposit Account Number 50-2638. Please ensure that Attorney Docket Number 54317-013200 is referred to when charging any payments or credits for this case.

Respectfully submitted,

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Pablo Tapia  
Reg. No. 52,275

Customer Number 46560  
GREENBERG TRAUIG, LLP  
2450 Colorado Avenue, Suite 400E  
Santa Monica, CA 90404  
Phone: (310) 586-6512  
Fax: (310) 586-7800  
E-mail: tapiap@gtlaw.com

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